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6 *Attorneys for Defendants*
7 *Topson Downs of California, Inc.,*
Wal-Mart Stores, Inc. and
8 *Daniel Abramovitch*

9 [Additional Counsel on Signature Page]

10
11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 FABRIC SELECTION, INC., a
15 California Corporation,

16 Plaintiff,

17 v.

18 TOPSON DOWNS OF CALIFORNIA,
19 INC., a California Corporation; WAL-
MART STORES, INC., a Delaware
Corporation; DANIEL
ABRAMOVITCH, an individual; and
DOES 1 through 50, Inclusive,

20 Defendants.

21 CASE NO.: CV 17-05721-CAS-AFM

22 Hon. Christina A. Snyder

23 **STIPULATION TO EXTEND
TIME TO RESPOND TO FIRST
AMENDED COMPLAINT BY
THIRTY (30) DAYS**

24 First Amended Complaint Served:
09/01/2017

25 Current Response Date:
09/18/2017

26 New Response Date:
10/18/2017

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1 Plaintiff Fabric Selection, Inc. (“Plaintiff”) and Defendant Daniel Abramovitch
2 (“Defendant”), by and through their respective counsel of record, hereby respectfully
3 submit the following Stipulation and attached Proposed Order extending the deadline
4 for Defendant’s response to Plaintiff’s First Amended Complaint (ECF No. 12):

5 WHEREAS, Plaintiff filed its complaint in this action on August 2, 2017;

6 WHEREAS, before Plaintiff served Defendant its initial complaint, Plaintiff
7 filed its First Amended Complaint (ECF No. 12) in this action on August 24, 2017;

8 WHEREAS, Plaintiff served Defendant its First Amended Complaint via
9 standard mail on September 1, 2017;

10 WHEREAS, Plaintiff and Defendants Topson Downs of California, Inc.
11 (“Topson”) and Wal-Mart Stores, Inc. (“Walmart”) previously stipulated to extend
12 Topson and Walmart’s response deadline from September 18, 2017 to October 18,
13 2017, which was subsequently approved by the Court (ECF No. 18);

14 WHEREAS, Defendant was inadvertently omitted from the foregoing
15 stipulation;

16 WHEREAS, the current due date for Defendant to file his answer to Plaintiff’s
17 First Amended Complaint was Monday, September 18, 2017;

18 WHEREAS, the parties are still engaged in ongoing settlement discussions in
19 an effort to resolve the above-captioned suit;

20 WHEREAS, in light of the foregoing, Plaintiff has agreed to extend the
21 deadline for Defendant to file his answer to Plaintiff’s First Amended Complaint by
22 thirty (30) days; and

23 WHEREAS, this is the first time Plaintiff and Defendant have stipulated to
24 extend the time to respond to Plaintiff’s First Amended Complaint;

25 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff
26 and Defendant that the time by which Defendant must respond to the First Amended
27 Complaint shall be extended by thirty (30) days, from September 18, 2017 to October
28 18, 2017.

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1 DATED: September 19, 2017
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RESCH POLSTER & BERGER LLP

By: /s/ Stacey N. Nox
STACEY N. NOX
MICHAEL C. BAUM
Attorneys for Plaintiff
Fabric Selection, Inc.

9 DATED: September 19, 2017
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GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

By: /s/ Erica J. Van Loon
ERICA J. VAN LOON
BRITTANY ELIAS
Attorneys for Defendants
Topson Downs of California, Inc.,
Wal-Mart Stores, Inc. and
Daniel Abramovitch

1 Pursuant to Local Rule 5-4.3.4(a)(2)(i), the filer attests that all other signatories
2 listed, and on whose behalf the filing is submitted, concur in the filing's content and
3 have authorized the filing.

4
5 DATED: September 19, 2017

GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

6
7 By: /s/ Erica J. Van Loon

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9 ERICA J. VAN LOON
10 BRITTANY ELIAS

11 *Attorneys for Defendants
Topson Downs of California, Inc.
Wal-Mart Stores, Inc., and
Daniel Abramovitch*

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